

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CHARLES LANGONE, AS FUND  
MANAGER OF THE NEW ENGLAND  
TEAMSTERS AND TRUCKING  
INDUSTRY PENSION FUND

v.

PYTKO CONSTRUCTION CORP.

C.A. No. 04cv12001NMG

CERTIFICATION PURSUANT TO LOCAL RULE 16.1

The Defendant, Pytko Construction Corp., and its counsel hereby certify that we  
have conferred:

- (a) with a view to establish a budget for the costs of conducting the full course,  
and various alternative courses, of the litigation; and,
- (b) to consider the resolution of the litigation through the use of alternative  
dispute resolution programs such as those outlined in Local Rule 16.4.

*Paul F. Pytko*  
Pytko Construction Corp.  
*Paul F. Pytko, Project Manager & Shareholder*  
*[Signature]*

*02/18/05*

Dated

*2/18/05*

Dated

Roger N. LeBoeuf  
BBO # 628361  
HEALD & LEBOEUF, LTD.  
606 Old Colony House  
58 Weybosset Street  
Providence, RI 02903-2817  
Tel: (401) 421-1500  
Fax: (401) 331-5886